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OAC 79-0113/10
6 February 1979

MEMORANDUM FOR: William Sturbitts, DDO/LA
Jack Sullivan, OS
Richard Rininger, OGC
Russ Holmes

FROM : S. D. Breckinridge
Principal Coordinator, HSCA

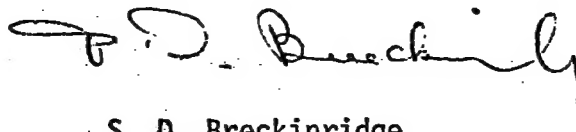
SUBJECT : Draft Replies to G. Robert Blakey

1. Forwarded herewith are draft letters to G. Robert Blakey making comments on each of the three packages that we have received and reviewed together.

2. These drafts are at least subject to revision if the Director supports the view of the DDO that there should be no direct references or some euphemism in referring to CIA personnel in Mexico Station.

3. It is requested that you review these drafts and let me have your comments. I would propose to write a separate letter on each section so it would appear that we are making progress, rather than holding up everything for those sections that are still subject to resolution of the references to overseas Stations.

4. You have copies of the Draft Staff Study and it would be appreciated if I could have your comments on the attached by COB Wednesday.



S. D. Breckinridge

Attachments

UNCLASSIFIED WHEN SEPARATED
FROM ATTACHMENTS

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ORIGINAL FILED BY 1319C
DATE FILED 11/13/79
EXTENDED BY
REASON

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DRAFT

Mr. G. Robert Blakey
Chief Counsel and Director
Select Committee on Assassinations
House of Representatives
Washington, D.C. 20515

Dear Mr. Blakey:

Forwarded herewith are comments on the draft reports forwarded by you recently.

The first of these is designated Issue A - #2, Opening of Lee Harvey Oswald's 201 file. It was received by us marked Top Secret. It is our understanding that you do not intend to publish this in unclassified form, and wish only our comments for accuracy. We would consider the classification of Secret more appropriate than Top Secret and so handle it. (S)

Page 2000570. Line 9. The statement appears that there are two naval documents listed as in the file that were not found there (presumably by the HSCA investigators). Both documents are there, but being Third Agency records, were enveloped and marked by their identifying numbers, which may not have been recognized by the investigators. (U)

Same page. It is noted that the Deputy Director for Operations is a person, his command being the Directorate of Operations. Shorthand usage gives the colloquial usage of "DDO" for Directorate of Operations, but it is literally incorrect. You may wish to modify this where it appears in your draft. (U)

Page 2000571. Russ Holmes did prepare an informal explanation, a copy of which was transmitted to your offices for retention in the CIA work

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area on 28 November 1978. It should be available there; it still is at CIA headquarters. (c)

Page 2000574. Not having seen Larson's testimony, we don't know what he actually said. The fact is that the Office of Security does not open 201 files, ever. That Office is under the Deputy Director for Administration, while 201 files in CIA exist only in the Directorate of Operations. (c)

Page 2000575. The statement to the effect that information would have warranted opening of a 201 file on Oswald is correct, but it is incomplete. While it would have warranted it, had it been decided to do so, it would not necessarily have caused the opening of a file. This is commented on further below. (u)

Page 2000579. The memorandum in question is quoted accurately, but the memorandum is not accurate. The Oswald file was opened as the result of work arising out of a request from the Department of State dated 25 October 1960. The testimony given by the person opening the file is correct on this point. (u)

Page 2000580. Again, the memorandum is quoted correctly, but it is incorrect. Oswald's letter to the U.S. Embassy in Moscow was dated 5 February 1961, being received 13 February. That was the first news of his intention to return to the U.S., and his file had been opened already, in December 1960, as a result of the earlier State Department request. (u)

Page 2000584. It is probably incorrect to say that Mrs. Egarter "claims" to have done something. She gave her best memory of what she did and why, which was probably broadly correct, although with some errors in detail. The point is that what she says is the best description on the opening. (c)

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Page 2000587 on Martin and Mitchell, "...whose defection to the Soviet Union in September 1960 was of concern because of their previous access to classified information." (U)

Pages 2000589-2000590. References to "a thirteen month delay" and that it (the Clandestine Service) "failed to act...by initiating the opening of a 201 file," indicates a misunderstanding of the procedure and standards for opening 201 files. (U)

First, there are certain criteria that must be met before a file may be opened. The administrative objective is to hold down the number of 201 files. There is not, and was not, a positive requirement to open a file. Rather, it was up to the judgment of the officer in question whether to do so or not, if it met the criteria. (C)

There was no requirement to open a file on a person such as Oswald. There being no requirement there could be no "failure," if it wasn't done. Nor would there have been a "delay." Oswald's later role in history may make him seem more significant today than he was when the first papers brought him to CIA's attention, but professional hindsight supports the absence of such action at the time. Further, it was still a judgment call when the file was actually opened; it would have been entirely appropriate to not have opened the file then. (C)

In any event, the opening of the file does not affect the records in the system on the person in question; it only serves to consolidate ~~copies of records~~ ^{copies} into a single working file. (C)

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Page 2000591. To whom did it seem an "abnormal occurrence" to not have opened the file, and what is the word "purported" intended to convey? (U)

Issue A - #3, Photo of Lee Harvey Oswald in Minsk

It is understood that this is not intended for unclassified publication, and that our review for accuracy is all that is requested. We have given the paper an overall classification of Confidential. (U)

Page 1. The citation of 12 H 212 and 213 should be 11 H 212 and 213. (U)

Page 10. It would be correct for Mrs. Vance to say she was never contacted by anyone with CIA, in connection with Oswald's photograph. CIA would not have been responsible for doing so. (C)

Page 12. The shorthand reference to the DDO should be changed to Directorate of Operations; the DDO, literally, is the Deputy Director for Operations. (U)

Book III, Section VIII, D. 8 (Oswald Soviet Correspondence)

It is understood that this is not intended for unclassified publication and that our review is all that is requested. We have given the paper an overall classification of Confidential. (U)

Page 1 and 2. The "pre-assassination file" did not contain the letters cited because the Department of State--which had these--did not provide them until after the assassination. (U)

~~Page 8. The correct date of the letter is 6 July (see page 6 of draft).~~ (U)

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DRAFT

Mr. G. Robert Blakey
Chief Counsel and Director
Select Committee on Assassinations
House of Representatives
Washington, D.C. 20515

Dear Mr. Blakey:

I am submitting herewith informal comments on the drafts submitted recently. It will be something of a mish-mash of factual correction and comment, as well as making security observations where appropriate. (u)

It is my understanding that you intend for only one or two of these sections to be unclassified for publication. (u)

Section Noted as "A 5," Miscellaneous Issues - HTLINGUAL Index Cards

It is our understanding that this is not intended for unclassified publication. In its present form we have given it an overall classification of Confidential. It is understood we are to comment for accuracy only. We have no points to make on this. (u)

Section Noted as "A 6," Miscellaneous Issues - Lee Harvey Oswald's
201 Opening Sheet - "AG"

It is our understanding that this is not intended for unclassified publication. In its present form we have given it an overall classification of Secret. It is understood we are to comment for accuracy only. (u)

As a matter of observation, it is noted that had the investigators made inquiry of those individuals who had working familiarity with the computer symbols on 201 opening-sheets, the answer was readily available.

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It is interesting that the officer interviewed, noted at page 3 of this draft, was being asked to rely on his memory some fifteen years old (as good as his memory is, it betrayed him on this point). The record is quite clear that the symbol "AG" was in existence prior to the assassination of Lee Harvey Oswald. This really was a non-issue from the beginning, and simply required so much time because of the failure of the investigators to make a formal inquiry about it. (U)

Section Noted as "A 7," Miscellaneous Issues - Lee Harvey Oswald's
201 Opening Sheet - "AG"

This appears to be entirely duplicatory of the section designated as A-6 above, and the comments immediately above apply equally to this. (U)

Section Noted as "A 8," - ZRRIFLE

It is our understanding that this is not intended for unclassified publication. In its present form we have given it an overall classification of Confidential. It is understood we are to comment for accuracy only. (U)

The assertion of Harvey's "known antagonism" and his "known hatred" of "the Kennedy's" is a bit hyperbolic, as presented, and seeks to establish a premise that is highly dubious. (U)

It is correct to say that ^{Harvey}he disagreed with the Administration's approach to Cuban operations, and told the Attorney General just that in quite candid terms. ^{it is}He was essentially a tough and blunt man, and had no illusions as to what he was doing. The act probably led to his reassignment. It is safe to assume that he held some personal resentment for the Attorney General, but extension of that, in malevolent form, to the President is a bit much. Further, it is unlikely that the Committee

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has any competent evidence that would provide a basis for imputing a malevolent attitude to him; he was a man to keep his own counsel and it is doubtful that many really knew his private thoughts. (u)

Additionally, it seems that ZRRIFLE never reached a stage that could be represented as the capability to act in the United States, as implied in the draft under the characterization of "means" in the formula of "motive, means and opportunity." In fact, the way in which ZRRIFLE developed in Harvey's mind, in the course of his plans against Castro, make the separation fairly clear; he related the two only loosely in his mind, because of what might be described as generic similarity of subject matter, but beyond that there was no relation. (u)

ZRRIFLE did not fit the design this draft would give it, so far as the discussion is concerned. Harvey's view of ZRRIFLE is set out in some detail in the 1967 report by the Inspector General, and there is no contrary evidence. If the premise is the reason for discussing this, then the entire section fails because of the invalidity of the premise. (u)

Section Noted as "A 9," - HELSINKI

It is our understanding that this is not intended for unclassified publication. In its present form we have given it an overall classification of Confidential. It is understood that we are to comment for accuracy only. Factually, we have no comments. (c)

Section Noted as "A 10," which deals with non-interviewing of Oswald

It is our understanding that this is not intended for unclassified publication. In its present form we have given it an overall classification

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of Secret. It is understood that we are to comment for accuracy only.

As an editorial observation, on the first page, the third sentence described CIA's "claim that no records existed" concerning a debriefing of Oswald as stimulating speculation of some connection between Oswald and the Agency. The reverse was the case. CIA's statement, in affidavit form to the Warren Commission, was in response to such allegations. Its response was not "instigated by a newspaper article." It may be that the Warren Commission reacted to such an article, which led to its request to CIA, but CIA does not submit affidavits in response to press stories. Simply stated, CIA responded to a Warren Commission request. (u)

It is noted that, among other reasons for Oswald's not being interviewed (and there were a number), is the consideration -- given HSCA in interviews it conducted -- that at the time the Soviet Union was releasing a large number of its citizens, who had been held from migration, and the machinery was also occupied with more likely sources. (c)

Section Noted as "A 11," - ALVARADO (c)

It is our understanding that this section is intended for unclassified publication. In its present form we have assigned an overall classification of Secret. It is also understood that a review for accuracy is desired.

This draft provides an opportunity to sanitize the paper, letting the basic story to be told while protecting points of security concern to CIA. Some of the comments will be detailed. (u)

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By way of preface, we would prefer that the concealment of Alvarado's name and nationality be continued, employing the "D" used by the Warren Committee and the Church Committee. His naming would permit identification of his nationality. Describing his relationship with his Nicaraguan case officer also reveals operational relationships of the Agency. Reference to his origins in another Latin American nation should meet the needs of description. (C)

Further, reference to the Mexico City Station, or its officers, also presents problems with which you are familiar. It is suggested that you use a general euphemism that permits the story to be told while avoiding specific reference to the Station, as such. We suggest that the literary presentation simple mention "CIA officers assigned in Mexico to investigate the assassination." Although literally true it avoids specifying that they were a group of officers already at the Agency installation who were assigned to that work. References to communications from Mexico City could simple refer to cables and dispatches from the "CIA representatives assigned to the Mexico investigation." (S)

The statement at the bottom of the 2nd page, 2001160, says "the Alvarado allegation stands as the only specific substantive investigation by U.S. authorities in Mexico City of possible Cuban complicity in President Kennedy's assassination." That Mr. Mann thought so doesn't change the fact. It is untrue, as the records of this Agency amply demonstrate. It may be the only firm allegation that was made that could be investigated.

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There were, of course, considerable other Cuban inquiries. (c)

On the fourth page, 2001162, the document cited as MEXI 1180 is not a CIA document. It probably was a State cable or dispatch. (c)

Same page, document cited as MEXI 7069 should appear as IN 68376. (c)

Same page, document at bottom cited as CIA out Teletype No. 85089 should appear as DIR 85089. (u)

On the sixth page, 2001165, the document cited as Teletype No. 85089 should show as IN 68376. (u)

Same page, the document that is cited as MEXI 7069 should show as IN 68376. (c)

Same page, bottom of page, the document that is cited as MEXI 1182 is a State Department 1182. (c)

On the seventh page, 2001166, the document cited as MEXI 7068 should show as IN 68328. (c)

On the seventh page, 2001166, reference is made to an intercepted, taped and transcribed conversation between President Dorticos and Ambassador Armas. As you are aware, this sort of description would have to be modified to meet our objections. We suggest something as follows: (S)

"A sensitive and extremely reliable source reported that on 26 November Cuban President Dorticos spoke with Cuban Ambassador Hernandez-Armas in Mexico. During the conversation Dorticos inquired if Silvia Duran, in her interrogation by Mexican authorities, had been asked if the Cubans had offered Oswald money. Armas said more than once that no such question had been asked." (S, in present context, U when alone).

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Eighth page, 2001167, line 4, cited as MEXI 7072m should be IN 68406. (c)

Same page, line 8, cited as MEXI 7084 should be IN 68496. (c)

Same page, line 11, MEXI 7092 should be IN 68542. (c)

Same page, Birch O'Neal, whose name appears twice, should be replaced by description of "CI Staff Officer. His name appears again on pages 9 and 16, where it should be treated similarly. (c)

The ninth page, 2001168, line 2. The correct quotation is that the Ambassador "went" nuts. (u)

Same page, MEXI 7093 cite seems wrong. Does not support preceding sentence. (c)

Same page, MEXI 7098 should show as IN 69127. (c)

Tenth page, 2001169. The Ibid citation seems to refer to IN 69127, which makes no reference to the tall Cuban sitting at Azcue's desk. IN 68376 does refer to an unknown person sitting at Azcue's desk, but that is all. It is not clear that the person seated at Azcue's desk, as stated in the report, was the one alleged to have handed money to the red-haired negro. (u)

Same page, MEXI 7097 should show as IN 69010. (c)

Same page, MEXI 7104 should show as IN 69225. (c)

Eleventh page, 2001170. The following quotations are correct:

"5. ... Washington should urgently consider feasibility of requesting Mexican authorities to arrest for interrogation: Eusebio AZCUE; Luisa CALDERON and Alfredo MIRABAL....They may all quickly be returned to Havana in order to eliminate any possibility that Mexican Government could use them as witnesses...."

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"3. ... there distinct feeling here in all three agencies (FBI, CIA, and State) that Ambassador is pushing this case too hard....and that we could well create flap with Cubans which could have serious repercussions. Understand from Mr. Johnson that he sent (State) channels to Ambassador this afternoon attempting to give him better perspective on this whole problem...." (CIA Doc DIR-85469, 11/27/63) (U)

Twelfth page, 2001171, beginning of second paragraph, states that the record discloses that Mann's efforts to investigate Cuban complicity in the assassination "were being restrained." The entire issue was how to handle the Alvarado allegation, as distinguished from "Cuban complicity." The discussion omits any reference to the rather extensive documentation as to why there were reservations about Alvarado, nor does it seem to consider that it was not so much a case of restraining Mann's desire to look into the matter, as it was to not accept his predetermined conclusions. (C)

Thirteenth page, 2001172. The draft apparently mixes Alvarado with Oswald. (C)

Same page. DIR 85258, followed by DIR 85653, offers a better summary of CIA's understanding of the New Orleans question. The quotation from the latter follows:

"1. (FBI) says their follow-up investigation of Oswald's activities has produced 'reliable indications' that he was in New Orleans on 19 September 1963.... This, coupled with earlier evidence that he was in New Orleans applying for unemployment insurance on 17 September 1963, means Oswald would have had to fly to Mexico and back between 17 and 18 September in order to be at the Cuban Embassy getting his pay off, as Alvarado claims, on 18 September." (C)

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probably

This statement makes it pretty clear Oswald^{probably} was not in Mexico City on the 18th of September. (u)

Same page. MEXI 7107 should show as IN 69310. (c)

Same page. Delete "Jerez" and "Nicaraguan." (c)

Fourteenth page, 2001173. MEXI 7113 should show as IN 69620. (c)

Seventeenth page, 2001176. MEXI 7120 should show as IN 69670. (c)

Same page, MEXI 7156 should show as IN 70530. (c)

Same page, MEXI 7127 should show as IN 70145. (c)

Same page, MEXI 7168 should show as IN 70860. (c)

Same page, delete "Jerez." (c)

Eighteenth page, 2001177. Win Scott should be deleted. (c)

Nineteenth page, 2001178. MEXI 1213 is a State Department document. (c)

Same page, correct citation should be: CIA Document, Memorandum from R. Helms to J. Lee Rankin, 6/1/64, Attachment F, p.4. (u)

Twentyfirst page, 2001189. Delete "Jerez." (c)

Same page. MEXI 7203 should show as IN 72684. (c)

Twentythird page, 2001182. The draft states that "the record is unclear whether the 'maximum maneuvering room' to be given the polygraph operator implied (sic) that Alvarado's polygraph examination was designed to provide his story a fabrication." The answer to this speculative observation is provided by the statement preceding it in the draft. As stated in the draft, the operator was to ensure that Alvarado was to be "well-fed, rested, and not in fear of bodily harm." In other words, he was to be in as good shape as possible to ensure reliable responses. (c)

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In any event, we object to detailed discussion of CIA's involvement in polygraphing of a foreign national in Mexico City. We would prefer that it merely be noted that he was polygraphed, without operational details. (C)

Twentyfourth page, 2001183. MEXI 7256 should show as IN 74273. (C)

Same page. Objection to discussion of operational details of use of polygraph continue to this page. (C)

As an interesting note, IN 74273 does not say that Alvarado was polygraphed in a CIA safehouse. That communication was dated 5 December, and he was not polygraphed until 6 December. (C)

Same page. MEXI 7267 should show as IN 74696. (C)

Same page. MEXI 7289 should show as IN 75588. The "honest mistake" statement was in this cable, as follows" (C)

"3. We concluded interrogation with subject admitting that he must have made honest mistake in relating original story in his identification of Oswald." (U)

Same page, footnote. Operational details unnecessary to story.

Twentyfifth page, 2001184. MEXI 7289 should show as IN 75588, in text and footnote. (C)

HSCA conclusions, twentysixth page, 2001185. The reference to "suspect conversations" apparently refers to "intercept conversations," which we wish changed to "reported conversations." (S)

Twentyeighth page, 2001187. The draft conclusion that the investigation was "colored" by beliefs is not supported by the evidence. The converse conclusion is that their reservations, based on documents not cited, were born out by the investigation. (U)

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Twentyninth page, 2001188. CIA and the FBI worked together while the jurisdictional matter was straightened out. The record supports no other view. (J)

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Mr. G. Robert Blakey
Chief Counsel and Director
Select Committee on Assassinations
House of Representatives
Washington, D.C. 20515

Dear Mr. Blakey:

Forwarded herewith are comments on draft reports forwarded by you recently. (U)

These first of those covered in this letter is entitled Cuban-American. It is understood that this is intended for unclassified publication. Our comments will indicate sanitization modifications in the text, as well as corrections of fact. (U)

Similar euphemisms as are suggested in the draft on the Alvarado case should be employed. Similarly, reference to LITEMPO should be deleted where it appears. The LIFIRE reference should also be deleted, as it represents a unilateral operational capability of CIA; a general reference to a sensitive source should suffice. (C)

The name of the subject of the discussion, Lopez, should be deleted, and a general reference to the Cuban-American should suffice. (C)

Page 3. Agree with the indicated deletions referring to operational and liaison sources and activities. Reference to photography of the Cuban-American should be deleted; it comes from a liaison source, which Liaison would recognize in the draft (page 4, as well). (C)

Page 4. Agree with indicated deletions, in addition to those noted above. (U)

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Page 6. References to Monterrey "Station" (on this page) and Monterrey Base on the next page should be deleted, with reference to a source. References to Lopez and Ruiz should be changed. (C)

Same page. It is noted that a cable by the DCOS in Mexico is cited without recording that it is in error. The point is relevant to subsequent observations in the draft. (C)

Same page. The reference to LAM/FI should be changed to "responsible." (C)

Page 6. Discussion of the 1975 review of the 201 file. The draft seems not to understand what the review was. The form was entitled "Review of 201 file on U.S. Citizen," being a form employed in a review conducted in 1975 of all 201 files involving U.S. citizens to determine whether they should be destroyed or whether they could be retained because of counter-intelligence interests. This file was categorized for retention because he was a subject of possible interest in the assassination investigation. The date 1975, apparently questioned by the editor, is correct. (U)

Same page, at bottom and commencing over to next page. The reference to FBI activities re Lopez does not change the reservations about publishing his name. That the FBI did conduct an extensive investigation of the man's background in the U.S. is quite clear, even if the reporting basis for an investigation was dubious. (U)

Page 7. The name of Lopez's cousin should be deleted. Listing it would permit eventual identification of Lopez. (C)

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Page 10. The comment at the bottom of this page, describing as "egregious" CIA's not reporting the man to the Warren Commission, represents a misunderstanding of the handling of reports, as well as the relationships during the investigation. The report that might be seen by some as suggesting that the man had some significance was, on its face, a very poor report. It was inaccurate in nearly every significant fact. It is customary for intelligence analysts to evaluate reports on a continuing basis, and the downplaying of this one was--and remains--a proper professional judgment. In this case, the report routinely was forwarded to the FBI, with its primary responsibility for conducting the field investigation. The Bureau did just that. However, the judgment of the Committee is for it to express, however overstated and however weakly based (U)

Page 11. The draft report errs in relating the treatment in the CIA Task Force Report in 1977. That study pointed out the errors in the Monterrey report about Lopez, and the bearing that this had on the valuation placed on the report. The Senate report never did focus on these basic flaws, and selected those elements of it that fit the working thesis of the staff. The critical evaluation of the Monterrey report seems valid to this date. The present Committee draft accepts the indiscriminating and imprecise treatment of Book V of the Senate report, without undertaking consideration of all the information available. The selected quotation in the Task Force Report should be read in its entire context. (U)

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Page 13. Reference to a Mexican police source should be deleted. (C)

Page 13. The HSCA may feel there are sinister implications on this matter, but that is based on the interpretations of the Committee and not on the facts. (U)

Same page. Observations about "documented instances where the CIA decided to forego passing information...out of a desire to not lay bare extremely sensitive sources of intelligence...." reflect an attitude on the part of the staff investigators that may be shared by the Committee. However, it is doubted that a good case can be made for this. For instance, an attempt was made to so describe reporting on telephone conversations, based on a memorandum by Mr. Slawson in April 1964. It was clear that the substance was reported, if the source--as distinguished from the information--was not disclosed on the record. We provided you with information showing that Mr. Helms discussed this with Mr. Rankin in mid-January 1964 and that the basic information was provided a couple of weeks later, still in January. A perusal of that correspondence indicates that Mr. Rankin knew the source as well as the information in it. The erroneous Slawson memorandum appears to be the main "documentation" for the statement in the draft. In any event it is customary in intelligence reporting to provide the information with a source evaluation, without specifying the source. (S)

In the present case, the Monterrey report was a very suspect, on its face. It was passed to the FBI for inquiry, which seems to have concluded in demonstrating just that. (C)

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What the draft indicates is "plausible" to the author, about the Bureau's not reporting it, is speculation and not fact. Had these been a real problem, it would have been worked out. That the Bureau did not complete its investigation until too late in the scheme of things to report to the Warren Commission can mean no more than that. It did the investigation and that cleared up the matter for purposes of responsible and mature evaluation. (c)

Footnotes. Corrections are below:

3/ Classified CIA Document IN 72615, 3 Dec 63

5/ Classified CIA Document IN 72829, 3 Dec 63

6/ Classified CIA Document DIR-86761, 4 Dec 63

9/ Classified CIA Document IN 74227, 12/5/63

11/ Classified CIA Dispatch No. 22579, 12/5/63

14/ Classified CIA Document DIR-87188, 5 Dec 63

16/ Classified CIA Document IN 43194, 19 Mar 64

22/ Classified CIA Document IN 43940, 20 Mar 64

23/ Classified CIA Document, Personality File Action Request,

16 Dec 63

(u)

Oswald, Was He or Was He Not, A CIA Agent?

It is understood that this is intended for unclassified publication, so comments will relate to security and accuracy.

Page 2. The HSCA investigators did not review the "CIA's 144-volume Oswald file." They did read ¹⁹58 volumes of the CI Staff Oswald file, but they did not read 38 others. There were another 87 so-called "bulky" files not read at CIA, in the CI Staff Oswald file. Of the seven volumes held by the Office of Security, four were reviewed, and part of a fifth. If FOIA materials released by the Agency were read elsewhere, it still would not

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constitute the same thing because of sanitization. Whatever was read, as stated it is incorrect. (U)

Page 4. The statement "nor was there always an independent means of verification that all materials requested by the Agency were, in fact, provided," leaves the gratuitous inference that there may have been some withholding. If files in the Agency were not made available, it simply would have been because they could not be found in response to the less than effective way in which some materials were requested. In any event, before the above statement in the draft can honestly be made, it would have been necessary for the HSCA investigators to have read all the materials made available to them. They did not. The amount of unread material is estimated variously from one quarter to one third (see above comment as it applies to the so-called Oswald file). (U)

Page 5. The reference to "institutional obstacles," must be stated in the context of security standards. Once the Committee accepted the Agency's standards the only remaining problem was one of relevance (under the agreement between Chairman Stokes and the DCI), and the ability of the HSCA investigators to explain what they wanted. (U)

Same page. It would be appreciated if the report did not state that "the vast majority of CIA files made available ...were reviewed in unsanitized form." While the majority of the files made available were reviewed, and the great majority of these were unsanitized, we would prefer not to have it advertised, even if it contributed to the credibility of the Committee's report. (C)

Page 8. Footnote. One officer "claims to believe," as distinguished from "acknowledges" the possibility of a "vest pocket" operation known to no one. That such an operation could be run, known to but a few, would be possible

only if not in behalf of the Agency. The HSCA investigators have had it explained to them in so many ways that a variety of cross checks and controls, administrative, financial and operational, work against such a development. (u)

Page 9. Not all persons in the legal traveler were college graduates. (c)

NOTE: Although the legal traveler program is inactive at present, it would be preferred that no mention be made to it, as it may be reinstituted at some point in the future. It is an operational technique that should not be publicized. It would be preferred if it were simply stated that none of those going to the Soviet Union, whose cooperation was requested, made contact with Oswald. (c)

Page 10, ff. It seems that Wilcott hardly merits the space devoted to his allegations. The man essentially is discredited, and to satisfy his propaganda aims is questionable. In any event, his location in Japan reveals a post that has not been acknowledged by the U.S. or the Japanese governments. It provides the opportunity to have Wilcott speak with apparent authority and credibility as to his work, even having "unknowingly disbursed payments for Oswald's project using that cryptonym." How he could have, in the first place, having arrived after Oswald left Japan, is dubious (a fact not noted in the draft). But the allegation of operational disbursements there could prove troublesome in a number of ways. (c)

Lee Harvey Oswald's CIA File (page 15 ff.)

Page 17. The file was opened "purportedly" because of counterintelligence consideration. This has been belabored elsewhere in the drafts. Yes, he did meet the criteria for constituting a possible CI threat, so it was

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permissible to open a file on him if it appeared desirable. The Committee has been advised of the essentially administrative reasons that joined considerations which led to the actual opening of the file. (U)

Why was the file opened...a year after his attempt to defect?

Reiterating explanations given elsewhere, there was no requirement to open a file. The judgment of the officer in question controlled. (U)

Page 19. Top of page. While the cable could provide a proper basis for opening a file, if there was reason for doing so, in the absence of a requirement to do so, it was also quite proper to have decided not to do so. It tends to become a matter of a proper judgment then, against what a novice might think 20 years later, when the subject had killed the President. The basic consideration is that there was no requirement to open files; the administrative objective is to hold down the number of 201 files. There had to be a reason as well as there being information meeting the criteria that constituted a threshold for whether one was even permitted to open such a file. (See comments on draft at pages 2000589-2000590, Issue A - #2, Opening of Lee Harvey Oswald's file.) (U)

Page 20. At the time mentioned, the organization was the Directorate of Plans, not the "DDO." (U)

Page 21. The opening form showed only a place for citing a "source document." It was customary to refer to an organization, when the opening action was taken there. This has been explained often enough to not be misunderstood, whether believed or not. (U)

Page 23. A "seemingly long delay" would seem long only to those not familiar with the procedure for opening 201 files. Perhaps the HSCA

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investigators believe there should have been a requirement, but there was not, and should not be. The implicit criticism reflects a failure to grasp this operation. (U)

Page 25. Has the draft erred in using the name "Lee Henry Oswald" at the end of the first paragraph? Did the author not mean that had records on Oswald been sought in his correct name, Lee Harvey Oswald, it still would have been found although indexed under Lee Henry Oswald? (U)

The letters "AG" on the opening sheet of the Oswald 201 file

Page 26 ff. The draft emphasizes the memory of the witness (a man with quite a good memory on some things). Unfortunately, his memory plays him tricks on the institution of the "AG" symbols. Agency records show that it was in use prior to the assassination of President Kennedy. Perhaps the witness recalls learning of it during the investigation and now believes that it was developed then, but the records show him to be in error. The problem with this subject is that the investigators sought ^{the} answers from people years after the fact rather than asking officially; when they finally did the answer was readily available. The lost time is recorded in the long treatment of a non-issue. (U)

Page 27. Rather than referring to "its records handbook," it would be preferred if the phrase "a records manual" were substituted. (U)

Was There a Dual Filing System on Oswald?

Page 33. What the Committee "was aware of from its outset" about a dual filing system, betrays a preconception rather than a fact. "This awareness (sic) was heightened into concern" by the rough notes when the

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ZRRIFLE program was in a planning stage. That someone considered such a thing--and clearly did not employ it--only suggests that such a thing was considered and not carried out. It does not mean that it could have been done successfully. A reference file has to be held in the central filing system, and it will tell where the full file is. There can be no official operation without a record file. The key consideration, if evidence is of any concern to the Committee, is not that Harvey thought about, but that he did not do it. Why? Probably because he could not. A lot is draped over this unexecuted study, and extrapolative speculation covers the lack of supporting evidence. This has been the subject of a previous memorandum from me dated 27 September 1978. (U)

Page 34. Top of page. There is an editorial error, in which reference is made to "an Agency relationship with the CIA." The context is not clear enough to reveal what is intended. (U)

Page ³⁹40. It is not at all clear why reference to someone in a CIA file would "raise a question of whether Lee Harvey Oswald was, in fact, involved in some sort of CI project." Depends on who is looking at files they don't understand. Having asked the question, one must assume there is a compulsion to write about it. (U)

Page ⁴44. Please describe Mrs. Egerter by position in lieu of using her name, "The CI Staff officer who opened the Oswald 201 file." (C)

Page 48. Request omit specific reference to "legal travelers program." While the program is inactive at present, it may be activated at some time in

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the future. It is an intelligence method, and publicity on the concept would jeopardize those who may participate in the future. (C)

Page 60. Request that the last sentence in the paragraph ending in the middle of the page end after "Joint Press Reading Service," and that the rest of the sentence be deleted. It represents a working relationship with liaison services. (C)

Same page. Request that second sentence, next paragraph, be solely "The application was withdrawn," the next sentence starting "She acknowledged being debriefed by an Agency employee, etc.etc." There should be no reference to her being denied a security clearance. (C)

Page 66. Delete "at Harvard University," and change next line to read "of his access to others who might be going to the...." This merely tells the story while generalizing the specific operational activity. (C)

Page 67. Following the statement about Dr. Davison's expulsion from the USSR, end the sentence with a period after "...from the Soviet Union." The next sentence would commence, "After the assassination of...." This refers to a specific operation that retains certain CI considerations. (C)

Pages 70-72. Request deletion of all paragraph starting on page 70 with "Davison admitted his involvement," as well as the paragraph starting the next page with "According to his instructions..." and the paragraph starting on page 72 with "Davison denied participating in any other intelligence activity...." The last paragraph on page 72 could stand as written, with deletion for purpose of the word "Accordingly." (C)

Page 73 ff. George de Mohrenschildt. Request J. Walton Moore's name be replaced by description. "DCD local representative." (C)

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Page 78, ff. William D. Gaudet. Mr. Gaudet's name should not be revealed. The summary quoted on page 80 reveals personal details and reference to financial loans and should be deleted. (c)

Page 82. Oswald in Helsinki en route to USSR. At page 86 reference to the CIA file on Soviet Consul should be deleted, as should the reference to CIA Dispatches from Helsinki (showing the existence of CIA operations in a sensitive location). On page 87 reference to a CIA dispatch should be deleted; it should suffice if it was simply stated that "a dispatch from the Embassy, dated 9 October 1959...." The reference to a CIA dispatch on page 88 should be deleted. (c)

Page 90. The absence of a reference to the origin of the communication conceals the location, and there is no objection in this form. (u)

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